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CONTENTS

		Paragraphs	Page
I.	TERRITORY AND POPULATION	1 - 33	2
	A. Ethnic characteristics	1 - 8	2
	B. Demographic characteristics	9 - 32	3
	C. Some socioeconomic indicators	33	7
II.	GENERAL POLITICAL STRUCTURE	34 - 70	16
	A. Regime of government	34 - 37	16
	B. Structure of the Colombian State	38 - 70	17
III.	GENERAL LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS	71 - 103	23
	A. Rights, guarantees and duties	71 - 77	23
	B. Competent authorities for the protection of human rights	78 - 89	25
	C. Special actions by the Government to protect and promote human rights	90 - 92	28
	D. Recent legislative measures and initiatives	93 - 99	29
IV.	PROTECTION AGAINST RACIAL DISCRIMINATION	100 - 103	30

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I. TERRITORY AND POPULATION

A. Ethnic characteristics

1. According to surveys carried out by the Colombian Institute of Anthropology, 58% of the Colombian population is mestizo, 20% white, 14% mulatto, 4% black, 1.7% indigenous and 2.3% of other races.

2. Colombia is also a country with a diversity of regions and cultures. There are five major regions: the Atlantic coast, the bio-geographical region of Chocó (or Pacific region), the Orinoco region, Amazonia and the Andean region, which today are home to a population of 35 million people, who in cultural terms are predominantly mestizo.

3. Two major ethnic and social groups may be geographically and culturally distinguished from the general population: the Afrocolombian communities, numbering approximately one million people and living mainly along the Pacific coast and certain areas on the Atlantic coast; and the indigenous Amerindian peoples, of which there are about 82 groups with a total population of 700 000, living in territories in the Andes and in vast stretches of the lowlands (Orinoquía, Amazonia, Chocó and the Guajira peninsula). To these must be added the populations of the islands of San Andrés and Providencia (1000 persons) (see annexes*, maps and tables 1 and 2).

Language

4. Colombia recognizes Spanish as its national language; the country also has a wealth of languages among its indigenous communities. Sixty-four languages belonging to 13 families of languages have been identified (Chibcha, Arawak, Caribe, Macro-Tukano, Witot, Sikuani, Quechua, Kamsa, Kofan, Nukak-Maku, Bora, Saliba and Puinabe). The Constitution of 1991 (art. 10) establishes the languages and dialects of the ethnic groups as official in their territories, and directs that teaching should be bilingual in the communities that have their own linguistic traditions.

Religion

5. "Freedom of religion is guaranteed. All persons have the right to freely profess and individually or collectively disseminate their religion" (article 19 of the National Constitution).

6. The data gathered in the 1985 population census indicate that 95% of the population are Roman Catholic and the remaining 5% profess a variety of other religions. These statistics, which some specialized agencies consider do not reflect the true situation, can only be reassessed once the data from the population census carried out in 1993 have been consolidated.

Education

7. "Education is an individual right and a public service which has a social function ... The State, society and the family are responsible for education,

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* The annexes may be consulted at the Centre for Human Rights.

which shall be compulsory from five to fifteen years of age and shall include, as a minimum, one year of pre-school education and nine years of basic education". (National Constitution, article 67).

8. In 1992 (last official figures) the numbers of pupils, teachers and schools, by urban and rural areas, public and private sectors, pre-school, basic, primary and middle levels, were as follows:

Distribution of pupils, teachers and schools
by levels, areas and sectors, 1992

Educational level	Pupils	%	Teachers	%	Schools	%
1. Pre-school education	451 349		22 930		10 376	
Urban areas	416 848	92.36	21 218	92.53	9 193	88.60
Rural areas	34 501	7.64	1 712	7.47	1 183	11.40
State sector	180 144	39.91	7 599	33.14	4 847	46.71
Private sector	271 205	60.09	15 331	66.86	5 529	53.29
2. Basic primary education	4 188 475		160 992		44 491	
Urban areas	2 633 563	62.88	98 069	60.92	14 109	31.71
Rural areas	1 554 912	37.12	62 923	39.08	30 382	68.29
State sector	3 428 139	81.85	128 697	79.94	38 866	87.36
Private sector	760 336	18.15	32 295	20.06	5 625	12.64
3. Basic secondary and intermediate vocational education	2 533 705		125 204		7 255	
Urban areas	2 350 992	92.79	113 333	90.52	6 118	84.33
Rural areas	182 713	7.21	11 871	9.48	1 137	15.67
State sector	1 538 026	60.70	70 441	56.26	3 914	53.95
Private sector	995 679	39.30	54 763	43.74	3 341	46.05

Source: National Department of Statistics

B. Demographic characteristics

9. With the help of the subnational population projections prepared in 1991, it has been possible to observe - in a standardized series - the evolution of the country's population in the second half of this century.

10. Colombia has been one of the fastest countries in Latin America to cover the various stages of population transition, moving from high birth and mortality rates at the beginning of the period (see table) to falling birth rates and relatively low mortality rates towards the end of the period.

11. As the living and health conditions of the population have improved, as a result of the introduction of new medical technologies, the country has achieved significant advances in hygiene. Together with substantially increased access by women to education and work, this has led to important changes in reproductive behaviour (use of family planning, older age of mothers at the birth of their first child, smaller family size, etc.), which has helped the country to progress rapidly through the stages of demographic transition, a

phenomenon that took more than a century in some developed countries and has taken only three decades in Colombia.

12. Increasing access to safe water and health services and greater information about food and nutrition are factors that, together with the Government's mass immunization campaigns, have resulted in a substantial drop in infant mortality, which fell from 123.2 to 27.3 per thousand between the beginning and the end of the period (1950-1994).

Demographic indicators for years close to the dates of population censuses

Indicators	1950	1965	1975	1985	1994
Growth rate	2.8	3.0	2.1	1.8	1.7
Crude birth rate	47.3	44.2	32.6	25.9	24.0
Global fertility rate	6.8	6.8	4.7	2.9	2.7
Crude mortality rate	16.7	11.5	8.6	6.1	5.9
Infant mortality rate	123.2	92.1	73.0	30.1	27.3
Distribution (%) by age groups					
Under 15 years	42.7	46.4	46.0	37.0	35.4
15 to 64 years	53.7	50.4	50.7	59.1	60.4
65 years and over	3.6	3.2	3.3	3.9	4.2
Distribution (%)					
Cities	38.7	52.0	59.3	67.2	72.9 p
Rest of the country	61.3	48.0	40.7	32.8	27.1 p
Life expectancy at birth					
Both sexes	50.6	57.9	61.6	68.2	69.2
Males	49.0	56.2	59.9	65.5	66.4
Females	52.3	59.7	63.4	71.1	72.3

Source: DANE, Adjusted Population Censuses 1951-1964-1973 and 1985
DANE, Colombia: Subnational Population Projections 1985-2000

P: provisional figure

Population growth

13. The rapid decline in birth and mortality rates, decisive factors in population growth, have been reflected in this indicator (annual growth rate - r -) which fell from 3% at about the time of the 1964 census to 1.7% at the present. If deceleration of growth continues at the present rate, a rate of 1.4% is estimated for the year 2000.

14. The rapid process of urbanization the country has experienced has led to differential rates of growth in the urban centres and the rest of the country, moving from an essentially rural structure (61.3% rural population in 1951) to an eminently urban structure (72.9% urban population in 1993).

Fertility

15. The rapid decline in fertility (the global fertility rate fell from 6.8 in 1951 to an anticipated 2.7 this year) has largely contributed to the decline in the country's population growth.

16. The demographic change has been general throughout all parts of the country, but rates of reproduction have not changed to the same extent in all regions. In the large cities, the process is moving much faster, since there is greater access to information on methods of birth control and new patterns of behaviour are being adopted.

17. Analysing the behaviour of the fertility rate, it will be noted that it is considerably higher in the rural sector - 4.9 in 1986 and 3.8 in 1990, as compared with 2.8 in 1986 and 2.5 in 1990 in the urban sector.

18. The spread and adoption of contraception has had a notable effect in reducing family size and on the reproductive behaviour of women (as already indicated), raising the average age of women at the birth of the first child from 16.9 years at the beginning of the 1960s to 22.1 years at the present time.

19. Analysing the crude birth rate - the simplest and most basic indicator of fertility - we find that it fell by half during the reference period, from 47.3 at the outset to 24.0 births per 1000 population at the end of the period. This decline has reduced the base of the population pyramid, so that the first five-year age groups are gradually shrinking (in relation to the following age groups), resulting in the ageing of the country's population.

Mortality

20. In Colombia overall mortality rates have fallen to levels comparable with those of countries with more advanced conditions of development, declining from rates of around 17 per thousand in 1950-1955 to 5.9 per thousand at the present. Analysing mortality by gender, it will be seen that the rate among males is higher at all ages, and especially in the age groups at the beginning and end of life.

21. Looking at the structure of mortality, it will be seen that this has altered over recent years. Whereas in 1950-1955 42% of deaths occurred before the age of five years, this share has fallen to 12.5% in the last five-year period (1990-1995), while the percentage of deaths at ages over 60 years has risen from approximately 20 to 45%.

22. One of the indicators that has evolved most favourably over the last few decades is the infant mortality rate, which was 123.2 per thousand live births annually among infants under one year in the first five-year period of the series, and is now approximately 27 per thousand. This decline is evidence of improvement in the quality of life of the population and (hygiene, nutrition, immunization and other factors) and is directly associated with the country's level of development, with a direct effect on increased life expectancy at birth.

23. Although the breakdown by sectors is not available, it is known that because of the differences in development between the urban and rural areas,

mortality among infants under one year is consequently higher in the rural areas.

24. Demographic analysis by gender has shown that approximately 105 males are born for every 100 females. However, the risk of mortality at birth or in the first year of life is much higher for males, so that the rate of survival in the first year (and at all ages) is higher among females.

Life expectancy

25. At the same time, the life expectancy at birth of the Colombian population has risen from 50 to 69.2 years over the period 1950-1994, which means that in four decades the country has gained nearly twenty years in life expectancy. This gain in average lifespan occurred fastest when mortality rates (especially infant mortality) were very high and has gradually tapered off as these rates have declined, a trend that will be proportionally maintained until the indicator approaches the biological limits if life.

26. If we look at life expectancy by gender, it will be seen that it is higher for females than for males at all stages and that the gain in years has been greater over the whole of the period. Where women have gained 20 years, men have gained approximately 17. Similarly, it will be seen that the gender differential has also increased, progressing from three years at the start of the series to nearly six at the end, which clearly indicates a comparative advantage for women in regard to their potential for life.

Age structure of the population

27. One of the most significant consequences of the declining birth rate and the control of mortality has been the change in the age structure of the population. The proportion of children under 15 years, which was 46% in about 1973, is now only 35%, while the population in the intermediate age groups (15 to 64 years) has been increasing in relative terms, rising from 51% to 60% over the same period. The same is true for the population over 65 years, which rose by one point from 3% to 4%.

28. Projections for the year 2000 indicate that young people under 15 years will constitute about 30% of the total population, the central groups will rise to 65% and the remaining 5% will comprise the population of 65 years and over.

Urban/rural distribution of the population

29. One of the processes that has been most clearly observed in the country in the last few decades is the phenomenon of urbanization and the concentration of the population in the cities. This has given rise to considerable changes in the spatial distribution of the population during the period under analysis.

30. If we examine the figures shown in the table of demographic indicators, it will be observed that there is a substantial population increase in the cities and a decrease in the rest of the country. The urban population was 38.7% of the overall population in the 1950s, while according to the most recent census, this proportion has risen to approximately 73% (provisional figure). The rural population, which at the start of the series accounted for 61.3%, has fallen by the end to only 27.1% of the national total.

31. Deceleration in the rate of growth has spread to the whole of the country, but with differences in spatial distribution. Vigourous expansion is to be observed in the departments of the Atlantic Coast, Meta, Valle and the National Territories (those which have shown the highest rates of growth on the whole); stagnation or slight decline in the Andean region; and chronic depression in the east, south and west of the country (with the exception of the Cauca Valley).

32. In conclusion, the spatial distribution of the population from the mid-century on has been characterized by a decline in the rural areas of the Andes, movement of the population towards the great plains, and an accentuated process of urbanization and population concentration in the big cities.

C. Some socioeconomic indicators

33. A number of economic and social indicators are presented below to give an overview of the country's situation and follow the progress of the sectoral objectives, strategies, programmes and plans proposed in the development plans.

Rate of unemployment

Urban population in seven metropolitan areas	Total
Population of working age	8 848 132
Economically active population	5 350 645
Employed	4 806 800
Unemployed	543 845
Inactive	3 497 487
Rate of unemployment	10.16%
Overall rate of participation in the economy	60.47%

Source: DANE, National household survey, stage 83, March 1994.

Total national rural population	Total
Population of working age	10 420 269
Economically active population	5 603 178
Employed	5 355 980
Unemployed	247 198
Inactive	4 817 091
Rate of unemployment	4.41%
Overall rate of participation in the economy	53.77%

Source: DANE, National rural household survey, September 1994.

Exchange rate

(annual average in US $)

1990	502.26
1991	633.05
1992	680.40
1993	863.30

Source: Banco de la República.
Financial statistics.

Public and private external debt

Years	Balance at the end of the period			Debt service		
	Public debt 1/	Private debt	Total	Public debt	Private debt 2/	Total
1985	10 811	3 415	14 226	1 449	433	1 882
1986	12 691	2 989	15 680	1 843	426	2 269
1987	13 947	3 100	17 047	2 353	316	2 669
1988	14 011	3 348	17 359	2 780	303	3 083
1989	14 071	2 936	17 007	2 903	781	3 684
1990	14 809	2 747	17 556	3 147	595	3 742
1991	14 661	2 314	16 975	3 287	448	3 735
1992	13 831	3 002	16 833	3 451	376	3 827
1993	13 627	3 809	17 436	653	49	702

Source: Banco de la República. Foreign trade statistics.

1/ Including private debts guaranteed by the public sector and short-term debts.

2/ Registered debts. Figures as at 30 June 1993.

Total and per capita gross domestic product

1980- 1993pr

Years	Total gross domestic product					Per capita gross domestic product			
	At current prices		At 1975 constant prices			At current prices		At 1975 constant prices	
	Millions of pesos	% variation	Millions of pesos	% variation	Population	Pesos	% variation	Pesos	% variation
1980	1 579 130	32.8	525 765	4.1	26 524 871	59 534	30.0	19 822	1.8
1981	1 982 773	25.6	537 736	2.3	27 091 375	73 188	22.9	19 849	0.1
1982	2 497 298	25.9	542 836	0.9	27 669 979	90 253	23.3	19 618	-1.2
1983	3 054 137	22.3	551 380	1.6	28 260 939	108 069	19.7	19 510	-0.6
1984	3 856 584	26.3	569 855	3.4	28 864 522	133 610	23.6	19 742	1.2
1985	4 965 883	28.8	587 561	3.1	29 480 995	168 444	26.1	19 930	1.0
1986	6 787 956	36.7	621 781	5.8	30 024 352	226 082	34.2	20 709	3.9
1987	8 824 408	30.0	655 154	5.4	30 577 724	288 589	27.6	21 426	3.5
1988	11 731 348	32.9	681 791	4.1	31 141 294	376 714	30.5	21 893	2.2
1989	15 126 718	28.9	705 068	3.4	31 715 252	476 954	26.6	22 231	1.5
1990	20 228 122	33.7	735 259	4.3	32 299 788	626 262	31.3	22 764	2.4
1991	26 106 698	29.1	749 976	2.0	32 841 125	794 939	26.9	22 836	0.3
1992 p	33 143 590	27.0	778 709	3.8	33 391 535	992 575	24.9	23 321	2.1
1993 pr	41 986 492	26.7	819 777	5.3	33 951 170	1 236 673	24.6	24 146	3.5

Source: DANE. National accounts

p: provisional

pr: preliminary

Growth of GDP, by branch of economic activity, at 1975 constant prices
1992 - 1993

Item	Variation (%) 1992/1991	Variation (%) 1993/1992
Farming, forestry, hunting and fishing	-1.85	2.70
Mines and quarries	-2.76	-2.80
Manufacturing industry	5.89	2.30
Electricity, gas and water	-6.08	11.70
Building	8.36	7.00
Commerce, restaurants and hotels	4.43	5.02
Transport, warehousing and communication	5.24	4.03
Financial, insurance, property and business services	4.06	7.08
Banks, insurance and business services	5.41	10.41
Housing rental	2.50	3.10
Community, social and personal services	3.76	6.41
Government services	4.70	7.66
Personal and domestic services	2.00	4.00
Less: charges for bank services	4.40	10.27
Subtotal aggregate value	2.90	3.95
Plus: taxes and duties on imports	36.18	40.00
Gross domestic product (GDP)	3.83	5.27

Source: DANE, National accounts.

Statistical summary of the main industrial variables and most significant branches of industry 1991 - 1992

Branches of industry	Units		Employed		Gross production		Net investment		Intermediate consumption	
	No.	%	No.	%	Value	%	Value	%	Value	%
	1991									
Food 1/	1 324	18.13	82 561	8.39	2 940 303 749	22.93	79 302 825	17.99	2 140 721 165	27.70
Beverages	131	1.79	23 243	2.36	1 031 150 074	8.04	28 435 122	6.45	375 576 166	4.86
Textiles	486	6.65	54 515	5.54	1 033 139 586	8.06	53 715 030	12.19	592 605 453	7.67
Paper and paper products	144	1.97	11 847	1.20	584 504 014	4.56	25 454 899	5.77	370 038 976	4.79
Industrial chemicals	147	2.01	15 149	1.54	980 953 696	7.65	50 147 630	11.38	630 374 314	8.16
Other chemicals	325	4.45	29 107	2.96	991 665 352	7.73	23 643 383	5.36	533 535 985	6.90
Refined petroleum derivatives	6	0.08	4 759	0.48	456 399 918	3.56	30 795 796	6.99	368 410 048	4.77
Other non-metallic mineral products	314	4.30	20 714	2.10	405 714 371	3.16	27 398 713	6.22	200 880 225	2.60
Metal goods other than machinery	580	7.94	26 849	2.73	391 512 760	3.05	14 556 225	3.30	222 795 425	2.88
Transport equipment and materials	249	3.41	18 202	1.85	643 108 082	5.01	16 632 905	3.77	427 578 899	5.53
Other branches	3 598	49.26	697 619	70.86	3 367 064 019	26.25	90 740 840	20.58	1 865 004 974	24.13
National Total	7 304	100	984 565	100	12 825 515 621	100	440 823 368	100	7 727 521 630	100
	1992 p									
Food 1/	1 396	17.82	120 487	19	4 308 325 729	25.93	n.a.	n.a.	3 151 985 523	32.95
Beverages	147	1.88	26 456	4	1 357 844 016	8.17	n.a.	n.a.	458 512 070	4.79
Textiles	483	6.17	71 224	11	1 351 601 024	8.14	n.a.	n.a.	708 199 065	7.40
Paper and paper products	161	2.06	15 310	2	750 892 811	4.52	n.a.	n.a.	490 678 666	5.13
Industrial chemicals	150	1.91	14 719	2	935 927 870	5.63	n.a.	n.a.	571 683 273	5.98
Other chemicals	353	4.51	38 663	6	1 256 487 585	7.56	n.a.	n.a.	600 964 160	6.28
Refined petroleum derivatives	8	0.10	5 899	1	425 155 305	2.56	n.a.	n.a.	242 757 268	2.54
Other non-metallic mineral products	318	4.06	22 528	3	571 208 639	3.44	n.a.	n.a.	294 771 173	3.08
Metal goods other than machinery	601	7.67	31 764	5	460 730 506	2.77	n.a.	n.a.	263 696 292	2.76
Transport equipment and materials	267	3.41	23 836	4	799 098 185	4.81	n.a.	n.a.	515 566 926	5.39
Other branches	3 949	50.41	273 207	42	4 397 028 180	26.47	n.a.	n.a.	2 268 469 363	23.71
National Total	7 833	100	644 093	100	16 614 299 850	100	n.a.	n.a.	9 567 283 779	100

Source: DANE. Annual survey of manufacturing 1991-1992.

1/ Food products except beverages/various foods for animals and others

p: Provisional figures

n.a.: Data not available

Colombia : foreign trade (January-July 1994p - 1993p)

(millions US $)

	1994			1993		
	Exports	Imports	Trade balance	Exports	Imports	Trade balance
	US $ FOB			US $ FOB		
Total	4 326.60	5 882.70	(1 556.10)	4 119.40	5 270.40	(1 151.00)

Source: DANE-DIAN. Foreign trade statistics.

p: Provisional figures.

Colombia : foreign trade (January-July 1993p)

Percentage variation in value

	Exports	Imports
Total	5.00	11.30

Source: DANE-DIAN. Foreign trade statistics.

p: Provisional figures.

Colombia : traditional and non-traditional exports (January-July 1994p - 1993p)

(millions US $ FOB)

	1994	1993	Variation %
Traditional	1 898.40	1 836.90	3.30
Coffee	863.40	615.80	40.20
Petroleum and derivatives	674.90	858.00	-21.30
Coal	863.40	615.80	40.20
Ferronickel	67.80	63.00	7.60
Non-traditional	2 428.20	2 282.50	6.40
Total	4 326.60	4 119.40	5.00

Source: DANE. Foreign trade statistics.

p: Provisional figures.

Gross domestic product and domestic expenditure account (1987-1992p)

Items	Millions of pesos					
	1987	1988	1989	1990	1991	1992p
Salaries	3 351 499	4 465 880	5 788 472	7 555 360	9 846 486	13 079 397
Gross operating profit	4 439 895	6 011 023	7 742 394	10 682 053	13 799 330	16 817 031
Indirect taxes	1 076 166	1 313 527	1 666 449	2 099 540	2 610 355	3 365 915
Less: subsidies	43 152	59 082	70 597	108 831	149 473	118 753
Gross domestic product	8 824 408	11 731 348	15 126 718	20 228 122	26 106 698	33 143 590
Final consumption	6 787 878	8 895 897	11 539 127	15 346 717	20 032 486	26 839 429
Gross domestic capital formation	1 764 660	2 579 693	3 021 676	3 751 655	4 164 393	5 707 176
Total exports	1 588 458	2 058 766	2 866 278	4 389 942	5 901 970	6 255 407
Less: total imports	1 316 588	1 803 008	2 300 363	3 260 192	3 992 151	5 658 422
Expenditure in relation to GDP	8 824 408	11 731 348	15 126 718	20 228 122	26 106 698	33 143 590

Source: DANE. National accounts

p: Provisional figures

Principal macroeconomic aggregates at 1975 constant prices (1987-1992p)

Items	Millions of pesos					
	1987	1988	1989	1990	1991	1992p
Final consumption	521 409	545 080	564 484	581 568	592 078	618 997
Households in the national territory 1/	453 079	470 019	485 203	499 839	507 693	528 842
Public administrations	68 330	75 061	79 281	81 729	84 385	90 155
National investment (FBK)	116 901	126 264	117 013	115 641	105 537	146 659
Gross fixed capital formation	101 471	112 502	106 611	103 046	96 685	112 841
Variations in stocks	15 430	13 762	10 402	12 595	8 852	33 818
Exports	119 215	119 514	129 559	152 353	170 573	179 598
Imports	102 361	109 067	105 988	114 303	118 212	166 545
Gross domestic product	655 164	681 791	705 068	735 259	749 976	778 709

Source: DANE. National accounts.

1/ Final consumption within the national territory by both residents and non-residents.

p: Provisional figures.

External non-financial transactions account (1987-1992p)

Items	Millions of pesos					
	1987	1988	1989	1990	1991	1992p
Total exports	1 588 458	2 058 766	2 866 278	4 389 942	5 901 970	6 255 407
Resident salaries	3 566	4 996	6 198	9 091	18 422	18 099
Property and business revenue	48 085	75 840	109 950	174 033	247 333	304 616
Other current transfers	247 899	297 285	354 834	523 707	1 103 090	1 272 960
Total income from the rest of the world	1 888 008	2 436 887	3 337 260	5 096 773	7 270 815	7 851 082
Total imports	1 316 588	1 803 008	2 300 363	3 260 192	3 992 151	3 658 422
Non-resident salaries	22 078	10 950	17 216	36 163	84 639	58 038
Property and business revenue	459 042	553 704	865 259	1 222 200	1 409 865	1 574 162
Other current transfers	5 071	9 005	11 209	8 137	28 677	93 283
Surplus(+) or deficit (-) on the current account (or net loan to the rest of the world)	85 229	60 220	143 213	570 081	1 755 483	494 177
Total utilization of income	1 888 008	2 436 887	3 337 260	5 096 773	7 270 815	5 851 082

Source: DANE. National accounts.

p: provisional figures.

Inflation

Year	Inflation (%)
1980	25.9
1981	26.5
1982	24.1
1983	16.6
1984	18.3
1985	22.5
1986	21.0
1987	24.0
1988	28.1
1989	26.1
1990	32.4
1991	26.8
1992	25.1
1993	22.6

Source: DANE. Consumer Price Index.

II. GENERAL POLITICAL STRUCTURE

A. Regime of government

34. Colombia, as proclaimed in article 1 of the Constitution of 1991, is a lawful societal State organized in the form of a unitary republic, decentralized, with autonomy of its territorial units, democratic, participatory and pluralistic, founded on respect for the human dignity and on the work and solidarity of the individuals who belong to it, and the prevalence of the general interest.

35. The form of government is presidential. The Head of State is simultaneously head of the Government, the highest representative of the nation and the supreme commander of the military forces and the police. The Constitution establishes the threefold division of power, but with the constitutional duty to collaborate harmoniously to accomplish the purposes of the State.

36. Sovereignty resides exclusively in the people, from whom public power is derived; power is exercised in direct form by the people or through their representatives within the limits established by the Constitution.

37. Colombia possesses a Constitution containing extensive individual rights and social guarantees; 85 of the 380 articles establish the rights, guarantees

and duties of citizens, without prejudice to the other rights of the person established in the international covenants ratified by the country. The Constitution establishes special guarantees for the indigenous peoples and Afrocolombian and island communities.

B. Structure of the Colombian State

38. As provided by the Constitution, the Colombian State is structured in three branches of public power, the legislative, the executive and the judiciary. There are other autonomous independent bodies, such as the organs of control (Public Ministry and Office of the Controller General of the Republic), the Electoral Organization, the Bank of the Republic and the National Television Commission.

39. It is the responsibility of the Congress to amend the Constitution, pass laws and exercise political control over the Government and public administration. The Congress of the Republic is bicameral and is composed of the Senate and the Chamber of Representatives.

40. Executive power is vested in the President of the Republic, who is the Head of State, head of the Government and supreme administrative authority; Cabinet ministers and directors of administrative departments. The President and the minister or director of the appropriate department represent the Government in any particular issue. Departmental governorates and municipal authorities, superintendencies, public establishments and commercial and industrial enterprises of the State are also part of the executive branch. The indigenous territories are governed by councils constituted and regulated in accordance with the practice and customs of their communities.

41. The judicial branch is composed of the Constitutional Court, the Supreme Court of Justice, the Council of State, the Superior Council of the Judicature, the Office of the Attorney General, the higher district judiciary courts and the judges.

42. The organs of control are the Public Ministry and the Office of the Controller General of the Republic. The Public Ministry is composed of the Public Prosecutor of the Republic, the Public Defender, assigned public prosecutors, agents of the Public Ministry, municipal representatives and other officials determined by the law. It is the responsibility of this Ministry to defend and promote human rights, to protect the public interest and to oversee the official conduct of those who perform public functions.

43. The Office of the Controller General of the Republic has the duty to oversee fiscal management and to control administrative performance.

1. Composition and functions of the legislative branch

44. The composition and functions of the legislative branch of public power are established in Title VI of the Constitution, in articles 132 to 187. These collective bodies (the Senate and the Chamber of Representatives) are eminently popular and are elected for a term of four years.

45. The representatives elected by the people must act in a manner consonant with fairness and the common good and are responsible before society and the electorate for the execution of the obligations inherent in their office.

46. The faculties of the two chambers are set out in article 135 of the Constitution. The most important of these are:

1. To elect their executive officers.

2. To elect a General Secretary.

3. To determine when reserved sessions shall be held.

4. To fill the positions established by the law.

5. To strive to obtain the cooperation of the organs of the public administration from the Government to ensure the best execution of their responsibilities.

6. To summon and require ministers to attend sessions.

7. To propose motions of censure in regard to ministers for matters related to the functions that pertain to their responsibility.

Article 136 also expressly prohibits certain actions on the part of the Congress, inter alia:

1. To intervene by means of resolutions or laws in matters that fall under the exclusive jurisdiction of other authorities.

2. To demand information from the Government regarding instructions in diplomatic matters or negotiations of a classified nature.

3. To take votes of approval for official acts, etc.

Sessions and operations

47. The Congress meets as of right in ordinary sessions during two periods in the year, which together constitute one legislative term. It may also meet in special sessions when expressly convened by the Government, for the period stipulated by the latter.

48. The Congress meets as a single body to install the President of the Republic, to receive Heads of State or Government of other countries, to elect the Controller General of the Republic and the Vice President, who replaces the President elected by the people when necessary, and to decide on motions of censure in regard to ministers.

49. In order to function properly, each Chamber elects permanent committees as determined by the law, to be responsible for the first reading of the bills submitted to them. The plenary of the Congress, the Chambers and their committees may not deliberate with less than a quarter of their members present and decisions must be adopted by a majority of the votes of the members present, except where the Constitution requires a special majority.

Laws

50. In the exercise of its legislative power, it is the responsibility of the Congress of the Republic to enact laws. Through them, it exercises the following functions:

1. Interprets, amends and repeals laws.

2. Draws up and amends codes in all areas of legislation.

3. Approves the national development plan and public investment.

4. Defines the general divisions of the territory (creates, modifies, eliminates or merges territorial entities and establishes their jurisdictions).

5. Confers special powers on departmental assemblies.

6. Moves the seat of the highest authorities of the nation.

7. Determines the structure of the national administration.

8. Grants authorizations to the Government to enter into contracts, negotiate loans and sell national assets.

9. Vests specific extraordinary powers for up to six months in the President of the Republic to issue rules with the force of law where necessary or advisable for the public good.

10. Establishes national revenues and determines the expenditures of the administration.

11. Approves or rejects treaties concluded by the Government with other States.

12. Enacts laws concerning economic intervention as foreseen in the Constitution.

There are in all 25 legislative functions exercised by the Congress, of which the 12 considered to be most relevant are mentioned in this report (article 150 of the Constitution).

Legislative procedure

51. Legislation in Colombia may be initiated by either of the Chambers upon proposal by their members or by the Government, or upon popular initiative in the cases foreseen in the Constitution. When a bill has been submitted to the Congress, it must be officially published before it is referred to the relevant committee; it must then be given a first reading in the relevant committee of each Chamber and a second reading in a plenary session of each Chamber, before it is finally sanctioned by the Government. The time limits specified by the Constitution for the passage of legislation are short (articles 157 and 160). As stipulated in the Constitution (article 164), the Colombian Congress gives

priority to the passage of the bills to ratify treaties on human rights that are submitted to it by the Government.

2. The executive branch

The President

52. The President of the Republic, as the head of the executive branch of public power, is the sole representative of the entire nation, the Head of State, the head of the Government and the supreme administrative authority. He appoints the ministers of the Cabinet and the directors of administrative departments, directs international relations, and is the Supreme Commander of the Armed Forces of the Republic, responsible for the maintenance of public order. His functions are restrictively enumerated in article 189 of the Constitution.

53. The office of President of the Republic originates in direct election by the people for a period of four years. Election is confirmed by half plus one (absolute majority) of the votes cast by citizens in a direct and secret ballot on the day of the election. If no candidate obtains this majority in the first ballot, a second ballot is held three weeks later between the two candidates who obtained the most votes in the first round of the elections. The candidate who obtains the greatest number of votes on this occasion will be declared President.

54. The President and Vice President of the Republic must be Colombian by birth, citizens in good standing and over 30 years of age.

55. The President takes office before the Congress and must swear the oath. The Constitution provides for procedures to replace the President of the Republic and the Vice-President in the event of permanent or temporary incapacity.

The Vice President

56. The Vice President is also elected by popular vote, on the same day and in the same manner as the President. If there is a second ballot, the formula adopted for the first ballot may not be changed. His term of office runs concurrently with that of the President, whom he must replace in the event of permanent or temporary incapacity. He may be entrusted with special missions or duties, or assigned to any responsibility in the executive or administrative branch.

Ministers and directors of administrative departments

57. The number, designation and order of precedence of the ministers and administrative departments is determined by law. Ministers and directors of administrative departments are the heads of public administration in their respective offices and must formulate policies for their offices, direct administrative operations and execute the law, under the direction of the President of the Republic. In relation to the Congress, they are the spokesmen of the Government and must present government bills, respond to the requests that the Chambers may make to them, and take part in debates directly or through their deputy ministers.

58. In accordance with articles 209 and 210 of the Constitution, all orders of the public administration must act in the service of the general interest and the principles of equality, morality, efficiency, economy, speed, impartiality and publicity, and through the decentralization, delegation and deconcentration of administrative functions.

59. The public administration shall make provision for internal control at all levels, which shall be exercised in the manner specified in the law.

The public force

60. The public force consists exclusively of the armed forces and the national police. When public needs so require, all Colombians are under the obligation to take up arms to defend democracy, the institutions and the independence of the country.

61. The military forces of Colombia consist of three armed forces: the army, the navy and the air force.

62. The armed forces defend the sovereignty, independence and integrity of the national territory and of the constitutional order. The national police force is a permanent armed body of a civilian nature; its primary duties are to maintain the conditions necessary for the exercise of public rights and freedoms and to ensure that the inhabitants of Colombia may live together in peace. The Constitution bars members of the public force from voting or taking part in political debates or activities while they are on active service (articles 216 et seq.).

3. The judicial branch

63. Title VIII of the Constitution regulates the judicial branch of public power. There are three jurisdictions for the administration of justice: the ordinary courts, the contentious administrative jurisdiction and the constitutional jurisdiction. The authorities of the indigenous peoples may exercise jurisdictional functions within their territorial areas.

Ordinary jurisdiction

64. The administration of justice is a public function. Its decisions are independent; its functioning, decentralized and autonomous. In their decisions, judges are bound exclusively by the rule of law.

65. The Supreme Court of Justice is the highest court of ordinary jurisdiction, and is divided into civil, labour and criminal chambers, to each of which are referred the matters which they must hear.

Contentious administrative jurisdiction

66. The Council of State is the supreme court for the jurisdiction of administrative disputes. It is divided into chambers and sections: chamber of administrative litigation, chamber of consultancy and the civil service. The chamber of administrative litigation has six sections: constitutional, labour, public responsibility, taxation, electoral and agrarian.

Constitutional jurisdiction

67. The Constitutional Court safeguards the supremacy and integrity of the Constitution. The Court is composed of an uneven number of magistrates determined by the law, who are elected by the Senate of the Republic from lists of three candidates submitted to it by the President of the Republic, the Supreme Court of Justice and the Council of State. Its functions are, inter alia, to decide on claims of unconstitutionality of laws, reforms of the Constitution, referenda, international treaties, etc.; and it is the final review instance for judicial actions relating to the protection of fundamental rights.

Special jurisdictions

68. The authorities of the indigenous peoples may exercise jurisdictional functions within their territorial areas, in accordance with their own laws and procedures, provided that these do not conflict with the Constitution and laws of the Republic.

Attorney General

69. The Office of the Attorney General is composed of the Attorney General, attorneys and other officials determined by the law. The Attorney General is elected for a period of four years by the Supreme Court of Justice from a list of three names submitted by the President of the Republic. The Office of the Attorney General is part of the judicial branch and its function is to investigate, prepare cases for prosecution and bring charges against presumed offenders in the competent courts. It is bound to investigate matters both favourable and disadvantageous to the accused and to respect their fundamental rights and the procedural guarantees to which they are entitled.

Superior Council of the Judicature

70. This is divided into two chambers, the administrative and the disciplinary jurisdictional chambers, and is also part of the judicial branch. Its principal functions are:

1. To administer careers in the legal profession.

2. To draw up lists of candidates for the appointment of officials.

3. To examine the conduct and sanction misconduct by officials in the judicial branch and by practising lawyers.

4. To oversee control of the work of judicial bodies and offices.

5. To settle jurisdictional conflicts between different organs (article 256 of the Constitution).

III. GENERAL LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS

A. Rights, guarantees and duties

71. Title II of the Constitution contains 5 chapters and 85 articles relating to the protection, promotion and defence of human rights. These are:

Chapter 1. Concerning fundamental rights (articles 11 to 41);

Chapter 2. Concerning social, economic and cultural rights (articles 42 to 77);

Chapter 3. Concerning collective rights and the environment (articles 78 to 82);

Chapter 4. Concerning the protection and application of rights (articles 83 to 94);

Chapter 5. Concerning duties and obligations (article 95).

72. Chapter 1. Concerning fundamental rights. The right to life is guaranteed; the death penalty is prohibited; no-one may be subjected to torture or cruel, inhuman or degrading punishment; all citizens shall receive equal treatment by the authorities, have the right to recognition of their legal identity, to privacy, to update and rectify information about them held in data banks, and to the inviolability of their private correspondence; all forms of slave trade are prohibited; freedom of religion, expression, honour and movement are established; work enjoys special protection by the State; freedom of teaching, apprenticeship and professorship are established; due legal process and formalities are guaranteed; no-one may be imprisoned for debts or sanctioned with penalties that are not prescribed; favourable treatment and presumption of innocence is established in criminal proceedings; the right to defence, professional assistance and habeas corpus is guaranteed; in principle all judicial sentences may be reviewed or appealed and a higher instance may not aggravate the situation of an individual appellant (reformatio in pejus); the law does not compel anyone to testify against himself or against his family; native-born Colombians may not be extradited; the right of asylum is recognized; the people may demonstrate peacefully in public; freedom of association for licit purposes, association in trade union organizations and participation in politics are established; all citizens who fulfill the qualifying requirements of the law may vote and stand for election.

73. Chapter 2. Concerning social, economic and cultural rights. The family is recognized as the fundamental nuclear unit of society and the State guarantees its protection; men and women have equal rights and opportunities; the rights of children - to life, health, education, etc. - and the rights of adolescents and the elderly are recognized; the State will promote policies for prevention, and the rehabilitation and social integration of physically and mentally handicapped people; social security is a mandatory public service; health care and environmental protection are public services that are the responsibility of the State; all children under the age of one year are entitled to receive free care in all State-subsidized health establishments; the right to recreation and sport is recognized; the right to work, to strike and to collective bargaining is guaranteed; private property and other legally acquired rights, intellectual

property, property in public use, architectural heritage, etc., are guaranteed; agricultural production enjoys special protection by the State; the State, society and the family are responsible for education, which is compulsory from five to fifteen years of age and includes a minimum of one year of pre-school education and nine years of basic education; education at State schools is free, without prejudice to the payment of fees by those who can afford to pay; the right to freely choose and practise a profession is established, and professional secrecy is inviolable; equality of opportunity is guaranteed for access to the electromagnetic spectrum, which is an inalienable and imprescriptible public resource.

74. Chapter 3. Concerning collective rights and the environment. The law regulates control of the quality of goods and services offered to the community; everyone has the right to enjoy a healthy environment; the State plans the utilization and management of natural resources; the State will cooperate with other nations in the protection of ecosystems; the manufacture, importation, possession and use of chemical, biological and nuclear weapons are prohibited; the State regulates the entry into the country and exit from it of genetic resources, and their use.

75. Chapter 4. Concerning the protection and application of rights. Everyone may have recourse to judicial authority to ensure compliance with a law or accomplishment of an administrative act. The following provisions have been established:

(a) Action of protection. The Constitution establishes protection as the action "whereby an individual may, at any time and in any place, appeal to the judges of the Republic, in person or through a representative acting on his/her behalf, by means of a preferential and summary procedure, to claim immediate protection of his/her fundamental constitutional rights should any of these rights be jeopardized or threatened by any action or omission of any public authority". Recourse to this action results in protection for the person consisting of an order whereby the party in respect of whom protection is sought shall act or refrain from action. This order, which is executory with immediate effect, may be challenged before the competent judge, who may refer to the Constitutional Court if review is sought. Recourse may only be made to this action when the affected party has no other means of judicial defence. The time limit for resolution of a request for protection may not exceed ten days from the date of application;

(b) Popular actions. Established to protect collective rights and interests relating to homelands, public areas, safety and hygiene, ethical administrative procedure, the environment, free economic competition and other rights of a similar nature. Popular actions shall be governed by the law;

(c) Responsibility of the State. The Colombian State will answer materially for the extralegal damages for which it is responsible, caused by actions or omissions on the part of the public authorities, without prejudice to the possibility of initiating proceedings against negligent agents;

(d) Prevalence of international treaties on human rights. International treaties and conventions ratified by the Congress that recognize human rights and prohibit their limitation during states of emergency shall have priority in domestic law. Human rights shall be interpreted in accordance with the international treaties ratified by Colombia.

76. Chapter 5. Concerning duties and obligations. Exercise of the rights recognized in the Constitution implies responsibilities for all citizens, who shall:

1. Respect the rights of others and not abuse their own.

2. Act in accordance with the principle of social solidarity.

3. Respect and support legitimate democratic authorities.

4. Defend and extend human rights as the foundation of peaceful coexistence.

5. Participate in the political, civic and community life of the country.

6. Strive to achieve and maintain peace.

7. Collaborate to ensure the proper functioning of the administration of justice.

8. Protect cultural and natural resources.

9. Contribute to the financing of the State's expenditure and investment within the principles of justice and equity.

77. The Constitution contains a series of special guarantees for indigenous peoples and Afrocolombian and island communities, as set out in the second part of this report.

B. Competent authorities for the protection of human rights

Public Ministry

78. The Public Ministry comprises the Public Prosecutor of the Republic, who is the overall director, the Public Defender and municipal representatives. The Constitution establishes the Public Ministry as the State's organ of control, completely independent of the conventional three branches of public authority (legislative, executive and judicial).

79. The Public Ministry, with the Public Prosecutor acting for it, is competent to oversee matters relating to human rights. In accordance with articles 275 et seq. of the Constitution, the Public Prosecutor shall, in person or through his delegates and agents, exercise the following functions:

1. Oversee compliance with the Constitution, laws, judicial decisions and administrative decrees.

2. Protect and ensure effectiveness of human rights, with the assistance of the Public Defender.

3. Defend the interests of society.

4. Defend collective interests.

5. Oversee diligent and efficient discharge of administrative functions.

6. Oversee at the highest level the official conduct of those who hold public office, including those popularly elected.

7. Intervene where necessary in legal processes before the judicial or administrative authorities when it is necessary to defend legal order, the public domain or fundamental rights and guarantees.

8. Perform other functions as determined by law.

Office of the Public Prosecutor

80. In order to perform its constitutional duties, the functions of the Public Prosecutor's Office are delegated to departments dealing with specific areas of responsibility. These are:

Department for Human Rights;
Department for the National Police;
Department for the Armed Forces;
Department for Judicial Surveillance;
Department for Judicial Police;
Department for Agrarian Affairs;
Department for the Environment;
Department for Public Ministry Matters;
Department for Municipal Representatives;
Department for Minors and the Family;
Office of Special Investigations.

81. In addition, the Office of the Public Prosecutor of the Republic is territorially organized with a Departmental Prosecutor's Office in each of the departments - territorial administrative divisions - and a Provincial Prosecutor's Office in each of the provinces - sub-divisions of the departments - to ensure that the whole of the national territory is covered and the services of the Office of the Public Prosecutor are available to citizens.

82. It should also be noted that the Office of the Public Prosecutor has set up permanent offices on human rights, open 24 hours a day, 7 days a week and 52 weeks a year, in the cities of Santafé de Bogotá, Medellín, Cali and Cúcuta, with the collaboration of municipal councils and representatives, agents of the Public Defender's Office, and the President's Advisory Council on Human Rights.

83. In regard to human rights, the Office of the Public Prosecutor intervenes in judicial proceedings to guarantee due legal process and the fundamental rights of the accused, the victims and society; oversees the conduct and exercise of their functions by public servants and disciplinary sanctions

against them; investigates reports by citizens and imposes disciplinary sanctions on public servants, and may, pursuant to its judicial police functions, transmit the evidence it collects to the magistrates and judges acting in the related criminal proceedings. In this connection, the Office of the Public Prosecutor ensures that investigations based on reported violations of human rights are independent of any possible influence by the Government and by public servants.

The Public Defender

84. The Public Defender comes under the Public Ministry and exercises his functions under the overall authority of the Public Prosecutor. His functions are as follows:

1. To advise and instruct inhabitants of the national territory and Colombians abroad on the exercise and defence of their rights before the competent authorities or private entities.

2. To publicize human rights and recommend policies for extending knowledge of them.

3. To invoke the right to habeas corpus and initiate actions of protection, without prejudice to the rights of interested parties.

4. To organize and direct public defence counsel in the manner stipulated by the law.

5. To bring public actions in relation to matters within his jurisdiction.

6. To carry out other functions as determined by law.

85. The Public Defender comes under the Public Ministry and therefore carries out his constitutional and legal functions under the overall authority of the Public Prosecutor, but with full administrative and budgetary autonomy. The Office of the Public Defender, whose functions, organization and administration are governed by Law 24 of 1992, divides its work into subject areas and regions.

86. There are various directorates and departments, as follows:

National Directorate of the Office of the Public Defender;
National Directorate of Judicial Appeals and Actions;
National Directorate for the Adjudication of Complaints;
National Directorate for Human Rights Promotion and Publicity;
Department for the Rights of Children, Women and the Elderly;
Department for Health and Social Security;
Department for the Environment, Consumers' Rights and the Rights of Users of Public Services;
Department for Criminal Policy;
Department for the Defence of Indigenous Peoples and Ethnic Minorities;
Department for Constitutional Affairs.

87. Like the Office of the Public Prosecutor, the Office of the Public Defender has regional and sectional offices so that it is able to cover the entire territory and meet the needs of all citizens.

88. The Office of the Public Defender promotes and publicizes human rights by means of courses, seminars and the publication of books and magazines; deals with complaints from citizens about infringements of human rights, seeking information on the facts from public and government bodies, assessing the replies and informing the Congress of the Republic of its conclusions; exercises functions of evaluation and control of Government action relating to human rights in specialized fields through its national directorates and departments.

Municipal representatives

89. The municipal representatives act in all 1040 municipalities in the country as people's defenders, protectors of human rights and civic inspectors. In 1994 the Code on the Political and Municipal Regime was revised in Law 136; this instrument gave administrative and budgetary autonomy to municipal representatives and reorganized their spheres of competence. By establishing the Municipal Representatives' Department, the Office of the Public Prosecutor will be able to implement programmes of support, advice and coordination of the work of the municipal representatives.

C. Special actions by the National Government to protect and promote human rights

90. Since 1987 the Government has been implementing its own human rights programme, through the creation of the President's Advisory Council on Human Rights. This Council has served as a channel for international support and cooperation based on agreements with the United Nations Centre for Human Rights in Geneva, the United Nations Development Programme and the governments of other countries.

91. This programme of the National Government carries out tasks relating to the defence, promotion and protection of human rights by receiving and handling the complaints submitted to the Presidency of the Republic by citizens; various programmes of information and education in human rights aimed at teachers and civil servants (police, military personnel, judges, lawyers, labour inspectors, municipal representatives) and civil society in general; concertation and coordination with various nongovernmental organizations in different fields; assistance to victims of violence in coordination with humanitarian NGOs and the Colombian Red Cross; publication of a series of books, magazines, newsletters, videos and posters; and advice to the Government on matters relating to human rights, international human rights law and international humanitarian law.

92. In addition, the activity of the National Government has also been reinforced by the establishment of human rights offices or units within the Ministry of National Defence in 1994, in the General Command of the Armed Forces in 1992, in the Administrative Department of Security in 1993, and in several of the country's prisons.

D. Recent legislative measures and initiatives

93. In 1993 Law No. 62 was enacted, restructuring the national police. This law established that the mission of the police is to protect the human rights of the population, and instituted a National Police Commissioner - a non-uniformed officer - to be responsible for a wide-ranging system of internal disciplinary control. It also established a national system for participation by citizens in police matters.

94. Law No. 104 of 1993 - instituting instruments to ensure peaceful civilian coexistence and effective justice - stipulated in one of its provisions that "the authorities shall guarantee freedom of organization, expression and action for social movements and public protests carried out in conformity with the Constitution and the law". This law provides for the institution of a programme of humanitarian care and assistance to the victims of political violence and terrorism, and requires the Public Prosecutor's Office to draw up and implement a programme for the protection of witnesses in cases of human rights violations, in addition to the programmes of protection already in force.

95. On 17 August 1993 the Ministry of Defence issued Directive No. 0017 requiring obligatory application by members of the public forces of the provisions of international humanitarian law contained in article 3 common to the Geneva Conventions of 1949.

96. Directives Nos. 100-5 and 100-6 were issued on 8 September 1993 by the Armed Forces Command. The first of these refers to "strict compliance with the rules of international humanitarian law", while the second contains a set of "instructions for the reinforcement of programmes on the dissemination of information and respect for human rights by members of the Armed Forces".

97. With the objective of reforming the military criminal justice system, the President of the Republic promulgated Decree No. 265 of 1995 on 6 February 1995, establishing a committee to draft a new Code of Military Criminal Justice and Procedure. This committee is composed of representatives delegated by the Ministry of the Interior, Ministry of Defence, Ministry of Justice, Public Prosecutor's Office, Office of the Public Defender, Attorney General's Office, Supreme Military Tribunal, President's Advisory Council on Human Rights, National Planning Department and the Colombian Section of the Andean Commission of Jurists (NGO). The committee is to complete its work and submit its draft for a new Code on 30 June 1995.

98. In June 1994 the National Government, through Decree No. 1533 of 18 July 1994, set up a Commission on Human Rights to make formal recommendations to it on the adoption of policies, measures and programmes relating to human rights. The Commission is composed of delegates from the Office of the President and the Ministries of the Interior, Defence, Foreign Affairs and Justice, or their representatives; the President's advisers on peace, security and human rights, or their representatives; the Attorney General, the Public Prosecutor and the Public Defender, or their representatives; the Director of the Red Cross or his representative; a representative of the International Committee of the Red Cross and delegates of the most representative nongovernmental organizations in the field of human rights, including the Andean Commission of Jurists, the Permanent Committee on Human Rights, Initiative for Peace, the Committee of Solidarity with the Political Prisoners of Colombia and a delegate from the

Socialist Renovation Current, a political organization that renounced arms after recent peace negotiations with the National Government.

99. In December 1994, with no reservations or statements in annex, the Congress of the Republic approved the bill submitted by the Government endorsing Protocol II of 1977 additional to the Geneva Conventions of 1949, and this has now become Law No. 171 of 1994. The Government will shortly be submitting to the Congress of the Republic a bill "providing for compliance with the recommendations of intergovernmental human rights agencies in regard to indemnities, reparations and compensation for damages".

IV. PROTECTION AGAINST RACIAL DISCRIMINATION

100. The International Convention on the Elimination of All Forms of Racial Discrimination, to which Colombia is a Party, was incorporated into national legislation in Law No. 22 of 1981.

101. Title II of the Constitution protects the rights and guarantees of all Colombians without any form of discrimination. Article 93 of the Constitution stipulates:

> "The international treaties and conventions ratified by the Congress recognizing human rights and prohibiting their restriction during states of emergency shall have priority in domestic law. The rights and duties recognized in this Constitution shall be interpreted in conformity with the international treaties on human rights ratified by Colombia".

102. In Law No. 21 of March 1991, Colombia incorporated the International Labour Organization Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries into its legislation.

103. The rights of the indigenous and Afrocolombian and island communities are being publicized by several governmental and nongovernmental agencies and concerted programmes. The compilation, publication and dissemination of Colombian indigenous law is one of the most important tasks carried out in this connection.